

Aburano, Douglas

From: Acevedo, Frank
Sent: Wednesday, September 1, 2021 9:41 AM
To: Aburano, Douglas; Arra, Sarah
Subject: RE: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

mmm. Interesting, had not heard that before. I'm checking with folks here to see if anyone has NEI knowledge.

From: Aburano, Douglas <aburano.douglas@epa.gov>
Sent: Wednesday, September 1, 2021 9:21 AM
To: Arra, Sarah <Arra.Sarah@epa.gov>; Acevedo, Frank <acevedo.francisco@epa.gov>
Subject: FW: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

Sarah and Frank,

Do we have anyone who's knowledgeable about NEI? Or does this go to someone at OAQPS?

I think we need to find out if anything was put into NEI for this source and if so, what was it? If not, is this ok under NEI requirements?

"The regulations suggest consulting the applicable EPA Regional Office for a final reconciliation if state and federal requirements are inconsistent. 40 C.F.R. § 51.15 (d). Accordingly, my client seeks a final reconciliation on this issue by EPA Region V. We urge the agency to find that WDNR must report emissions data to the NEI for sources to which WDNR has granted business confidentiality, and that emissions data should not be confidential under WDNR's confidentiality rules under Wis. Admin. Code § NR 2.19."

This section is from the attachment and I'm wondering who would do such a reconciliation. I don't think I've heard of this before.

Thanks,

Doug

From: Siegel, Kathryn <siegel.kathryn@epa.gov>
Sent: Wednesday, September 1, 2021 8:45 AM
To: Furey, Eileen <furey.eileen@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Aburano, Douglas <aburano.douglas@epa.gov>
Subject: FW: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

Looping in Doug. The [Air Emissions Reporting Requirements](#) only require that criteria pollutants be reported. Many states report toxics voluntarily (and there's a new push to make it required), so I think this letter may be referring to the criteria side.

Doug, maybe someone could check the inventory for the Kohler Metals Complex?

From: Furey, Eileen <furey.eileen@epa.gov>
Sent: Tuesday, August 31, 2021 6:35 PM
To: Siegel, Kathryn <siegel.kathryn@epa.gov>
Cc: Klassman, Debra <klassman.debra@epa.gov>
Subject: FW: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

Katie – Would you please take a look here and let me know what you think?

Thanks,
Eileen

Eileen L. Furey
Deputy Director
Air and Radiation Division
U.S. EPA Region 5
(312) 886-7950

From: Klassman, Debra <klassman.debra@epa.gov>
Sent: Tuesday, August 31, 2021 4:54 PM
To: Furey, Eileen <furey.eileen@epa.gov>; Breneman, Sara <breneman.sara@epa.gov>
Subject: FW: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

Fyi. Please let me know which Division will respond. I'll make sure you have ORC support.

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Tuesday, August 31, 2021 4:50 PM
To: Klassman, Debra <klassman.debra@epa.gov>
Subject: FW: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

I think goes to you for assignment (?).

-Rett

From: Heather McGowen <hmcgowen@pinesbach.com>
Sent: Tuesday, August 31, 2021 3:03 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>; Harris, Michael <harris.michael@epa.gov>
Cc: Christa Westerberg <cwesterberg@pinesbach.com>; Beauregard Patterson <bpatterson@pinesbach.com>
Subject: WDNR; Reporting Requirements for Emissions Data and Claims of Confidentiality

Please see the attached letter from Attorneys Westerberg and Patterson.

Thank you.

Heather McGowen
Paralegal

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